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CARRIER CORPORATION
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9 **UNITED STATES DISTRICT OF COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11
12 ROBERT SCHOELZEL,

Case No. C 08-03113 JSW

13 Plaintiff,
14
15 v.
ASBESTOS DEFENDANTS, As Reflected on
16 Exhibits, et al.,
17 Defendants.

**DECLARATION OF LILLIAN C. MA IN
SUPPORT OF CARRIER
CORPORATION'S OPPOSITION FOR
MOTION FOR REMAND**

Date: November 7, 2008
Time: 9:00 a.m.
Courtroom: 2, 17th Floor

18 I, Lillian C. Ma, declare as follows:

19 1. I am an attorney with the law firm of Tucker Ellis & West LLP, counsel for
20 defendant Carrier Corporation in the above captioned case, and am licensed to practice before all
21 Courts of the State of California. I have personal knowledge of the facts contained in this
22 declaration.

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2. Attached hereto as Exhibit 1 are true and correct copies of pertinent pages from deposition of Robert Schoelzel, taken on April 27, 2007, in the State Court Action, Case No. CGC-06-453669.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on
August 6, 2008.

/S/

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
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IN AND FOR THE COUNTY OF SAN FRANCISCO

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4 ROBERT SCHOELZEL,

5 Plaintiff,

6 vs. No. 453669

7 ASBESTOS DEFENDANTS (BP),

8 Defendants.

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11
12 DEPOSITION OF ROBERT SCHOELZEL
13

14 Volume I

15 (Pp. 1 - 279)

16
17 Taken before ROBIN ESGUERRA JOHNSON
18

19 CSR No. 6217

20 April 2, 2007

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25

1 **THE WITNESS:** Yes, Ames.

2 **BY MS. HUTH:**

3 **Q.** When did you start working at Ames?

4 **A.** I would just be guessing, but it was '7- -- it
5 was in '72, end of '72 maybe.

6 **Q.** Did you graduate high school in '72?

7 **A.** Yes.

8 **Q.** And this was sometime after Safeway after high
9 school?

10 **A.** Yes, just right after I graduated.

11 **Q.** How long did you work at Ames?

12 **A.** I believe six months.

13 **Q.** What did you do at Ames Plumbing, Heating &
14 Air-Conditioning?

15 **A.** I was a plumber's apprentice.

16 **Q.** What type of sites did Ames Plumbing service?

17 **A.** They did residential and commercial.

18 **Q.** As a plumber's apprentice did you go out into
19 the field with the plumbers or were you just back at
20 the shop?

21 **A.** No, they called me out when they wanted a dirty
22 job done.

23 **Q.** What type of work did you do as a plumber's
24 apprentice for Ames?

25 **A.** Cut pipe, thread pipe, chase parts, dig

1 ditches, dig waterline trenches. All the good work.

2 Q. Were you part of a union as a plumber's
3 apprentice there?

4 A. No.

5 Q. Did you have to cut any cement pipe for Ames
6 Plumbing?

7 A. Yes, I did.

8 Q. How often did you cut cement pipe for Ames
9 Plumbing?

10 A. Probably rare.

11 Q. Do you know the brand name, manufacturer or
12 supplier of any of the cement pipe that you cut for
13 Ames Plumbing?

14 A. I don't recall.

15 Q. What other materials did you work with besides
16 pipe at Ames Plumbing?

17 A. Well, we did air-conditioning, heating, we had
18 thermostats, we had water heaters, AC compressors,
19 copper pipe, galvanized pipe, black wrap pipe, faucets,
20 sinks, toilets, all that good stuff.

21 Q. Did you ever have to remove or install any pipe
22 insulation for Ames Plumbing?

23 A. I don't recall.

24 Q. Did you make any repairs to any
25 air-conditioning or heating units other than installing

1 or removing them?

2 A. Yes, I did.

3 Q. What type of equipment did you repair?

4 A. Well, repair or replace the compressors. Added
5 Freon, stuff like that. Maintenance.

6 Q. Do you recall the brand name, manufacturer or
7 supplier of the compressors that you repaired?

8 A. They were numerous, but I can't recall at this
9 time.

10 Q. Do you recall any of the specific sites where
11 you worked for Ames Plumbing & Heating?

12 A. No, we worked all over Orange County.

13 Q. Did you see any construction, demolition or
14 remodeling at any of the sites where you worked for
15 Ames Plumbing & Heating?

16 A. No, all we did was repair and replacement on
17 older homes.

18 MR. NUSSBAUM: I'm sorry, did you say "older"?

19 THE WITNESS: Older homes, yes.

20 BY MS. HUTH:

21 Q. Do you recall the brand name, manufacturer or
22 supplier of any of the air-conditioning units that you
23 worked with at Ames?

24 A. Rheem, Carrier. There were others, I just
25 can't recall at this time.

1 **MS. SHETABI:** Can I have the last question read
2 back, please.

3 (Record read.)

4 **MS. SHETABI:** Thank you.

5 **BY MS. HUTH:**

6 **Q.** And do you recall the brand name, manufacturer
7 or supplier of any of the heating units that you worked
8 with at Ames?

9 **A.** It was the same, a Rheem and a Carrier mostly.

10 **Q.** Did you work with any pumps for Ames Plumbing &
11 Heating?

12 **A.** Swimming pool pumps, we did some of those. And
13 apartment complexes had some pumps to pump the water up
14 to the higher floors.

15 **Q.** What type of work did you do on the swimming
16 pool pumps?

17 **A.** We either changed the pump, the motor, or both.

18 **Q.** Okay. And what kind of work did you do on the
19 water pumps in the apartment buildings?

20 **A.** Same thing, either repaired the -- replaced the
21 pump or the motor or both.

22 **Q.** Do you recall the brand name, manufacturer or
23 supplier of any of the pumps that you worked on or with
24 for Ames Plumbing?

25 **A.** There were others, but Hayden was one of them I